

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q92194

Nobuhiko TSUDA, et al.

Appln. No.: 10/564,642

Group Art Unit: 1714

Confirmation No.: 1516

Examiner: Not Yet Assigned

Filed: January 13, 2006

For: METHOD FOR PRODUCING FLUORINE-CONTAINING POLYMER, AQUEOUS DISPERSION OF FLOURINE-CONTAINING POLYMER, 2-ACYLOXYCARBOXYLIC ACID DERIVATIVE, AND SURFACE ACTIVE AGENT

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding Communication from a Foreign Patent Office (European Office Action dated January 12, 2009 for counterpart European Application No. EP 04 747 679.1), except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

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filng a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. §1.704(d) is attached.

Applicant notes that EP 0 473 871 A1 listed in the European Office Action were previously submitted in the Information Disclosure Statement filed October 3, 2008.

Additionally, Applicant notes that the articles of Iorio, et al. (Synthesis of cholchifoline from deacetylcolchicine) and Osipov et al. (A new strategy for the synthesis of alpha-difluoromethyl-substituted alpha-hydroxy and alpha-amino acids) listed in the European Office Action were previously submitted in the Information Disclosure Statement filed March 22, 2006.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: January 30, 2009

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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Respectfully submitted,

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